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**Z-2492**  
**MJ VILLAGE, LLC**  
**NB TO GB**

**STAFF REPORT**  
**May 10, 2012**

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**REQUEST MADE, PROPOSED USE, LOCATION:**

Petitioner who is the property owner, represented by attorney Andrew Gutwein, is requesting rezoning of the small shopping center located at the southwest corner of Earl Avenue and Ferry Street, just north of South Street, in Lafayette, Fairfield 22 (SW) 23-4.

**ZONING HISTORY AND AREA ZONING PATTERNS:**

This property is currently zoned NB, Neighborhood Business. Properties to the north across Ferry Street and east across Earl Avenue are a mix of NB and GB. A service station adjacent to the south is zoned NB. Adjacent to the west of this site, across 31<sup>st</sup> Street, is R1U zoning. The only zoning change in this area of the city under the current ordinance was the recent change of Home Hospital from MR to MRU (located four blocks to the west) and the Puzzle Factory PDMX rezone from GB (located to the southeast).

This block of Earl Avenue has been zoned NB or LB since 1969. Earl Avenue is lined predominantly with GB zoning, but has isolated areas of I3 zoning.

**AREA LAND USE PATTERNS:**

The site, an integrated center, houses a wide range of uses: a church, two restaurants, a hair salon, a tobacco store, a motorsports repair shop, a counseling service, and an optometrist's office. All of the existing uses are permitted in either NB or GB except the motorsports repair. On the corner of Earl and Ferry there is a gas station, a lumber yard and two small integrated centers. A wide variety of commercial uses line this section of Earl.

**TRAFFIC AND TRANSPORTATION:**

According to the *Thoroughfare Plan* Earl Avenue and Ferry Street are both classified as secondary arterials. This building's main entrance fronts Earl Avenue but entrances also exist off of 31<sup>st</sup> Street and Ferry Street.

**STAFF COMMENTS:**

The purpose of this request is to allow Twin City Motor Sports, a business that currently repairs motor sports vehicles, to conduct retail sales at the subject property and have the correct zoning necessary to procure the required Indiana motor vehicle dealers' license. Sales of motor vehicles are only permitted in the GB zone. The zoning ordinance does not differentiate between car and motor sports vehicle sales.

The Earl Avenue corridor is dominated by General Business zoning and uses. The subject site and a few surrounding properties are the only Neighborhood Business sites along Earl. Staff believes the surrounding uses, both residential and commercial, are well established and that there is little chance of incompatible uses between the neighborhood on the west side of 31<sup>st</sup> Street and the commercial area on the east side of 31<sup>st</sup>. The uses in this integrated center serve the community as a whole and draw customers from the entire city; NB zoning is meant for serving the needs of a nearby neighborhood. Therefore GB zoning is a better fit for this site, rather than a zone that mainly caters to the adjoining neighborhood. Allowing this rezone will help to create a more homogenous zoning pattern along Earl Avenue.

**STAFF RECOMMENDATION:**

Approval